



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/699,562	10/31/2003	Do Jiang	39754-0974 A

25213
HELLER EHRMAN WHITE & MCAULIFFE LLP
275 MIDDLEFIELD ROAD
MENLO PARK, CA 94025-3506

RECEIVED

AUG 17 2004

HEWM LLP - P.A.

CONFIRMATION NO. 1597

FORMALITIES LETTER



OC000000013525115

Date Mailed: 08/12/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1)). See Figure(s) 3-7B,11,12.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 13.

01/18/2005 ANB11 00000066 081641 10699562

01 FC:2001 395.00 DA
02 FC:2051 65.00 DA
03 FC:2202 925.00 DA
04 FC:2201 500.00 DA
05 FC:2203 160.00 DA



- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1386** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2286** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1386**
 - **\$430** for 5 independent claims over 3.
 - **\$666** for 37 total claims over 20.
 - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



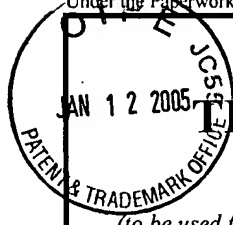
01-14-05

PTO/SB/21 (6-99)

Please type a plus sign (+) inside this box ☐

Approved for use through 09/30/2000. OMB 0651-0031 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/699,562
		Filing Date	October 31, 2003
		First Named Inventor	Tao Jiang, et al.
		Group/Art Unit	1646
		Examiner Name	Unassigned
Total Number of Pages in This Submission	pgs.	Attorney Docket Number	39754-0974A

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Version with Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input checked="" type="checkbox"/> Copy of Notice	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Substitute Drawing(s) <input checked="" type="checkbox"/> Sequence Submission Statement and Sequence Listing including a computer readable form (CRF) listing. <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Small Entity Status <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Return Postcard Receipt
Remarks AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	James A. Fox, Reg. No. 38,455 HELLER EHRMAN WHITE & McAULIFFE LLP		
Signature			
Date	January 12, 2004	Customer Number:	25213

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service (EL 993 687 592 US) under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop <u>Missing Parts</u> , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date: January 12, 2004.			
Typed or printed name	Sandra Puljic		
Signature		Date	January 12, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ___, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jiang et al

Group No.: 1646

Serial No.: 10/699,562

Examiner: Unassigned

Filed: 10/31/2003

For: PEPTIDES WHOSE UPTAKE BY CELLS IS CONTROLLABLE

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



COMPLETION OF FILING REQUIREMENTS—NONPROVISIONAL APPLICATION

- I. This replies to the Notice to File Missing Parts of Application mailed 8/12/2004. A copy of the Notice to File Missing Parts of Application of Non-Provisional Application is enclosed.

DECLARATION OR OATH

- II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

SUBSTITUTE DRAWINGS

- III. Enclosed are Substitute Drawings in compliance with 37 CFR 1.84.

SEQUENCE SUBMISSION STATEMENT AND SEQUENCE LISTING

- IV. Enclosed is an initial computer readable form (CRF) copy of the Sequence Listing, an initial paper or compact disc copy of the Sequence Listing, as well as an amendment directing its entry into the application.

SMALL ENTITY STATUS

- V. Applicant claims small entity status. See 37 CFR 1.27.

COMPLETION FEES

VI.

1. Filing Fee: Original patent application (37 C.F.R. 1.16(a))	\$395.00
2. Fee for Claims: Each claim in excess of 20 (37 C.F.R. 1.16(c))	\$925.00
3. Fee for Claims: Each independent claim in excess of 3 (37 C.F.R. 1.16(b))	\$500.00
4. Fee for Claims: Multiple dependent claim surcharge (37 C.F.R. 1.16(d))	\$180.00
5. Surcharge Fee: Late Oath or Declaration Surcharge (37 C.F.R. 1.16(e))	<u>\$65.00</u>
Total completion fees:	\$2,065.00

EXTENSION OF TIME

6. Applicant requests an Extension for Response within the third month. Fee Due: \$510.00

VII. The total fee due is: 2,575.00

01/18/2005 ANABI1 00000066 081641 10699562
06 FC:2253 510.00 DA

TOTAL FEE DUE \$2,575.00

PAYMENT OF FEES

- VIII. Charge Account No. 08-1641 (Docket No. 39754-0974A) in the amount of \$2,575.00.
Please charge Account No. 08-1641 (Docket No. 39754-0974A) for any fees that may be due by this paper.


James Fox, Reg. No. 38,455

Heller Ehrman White & McAuliffe LLP
275 Middlefield Road
Menlo Park, CA 94025
(650) 324-7000
Customer No. 25213